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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **Confirmation No. 6030**
Masakazu NAGATA : Attorney Docket No. 2005_2046A
Serial No. 10/564,983 : **Mail Stop: PCT**
Filed January 18, 2006

RATCHET WRENCH AND ASSEMBLY
METHOD THEREOF

**SUBMISSION OF ENGLISH VERSIONS OF INTERNATIONAL PRELIMINARY
REPORT ON PATENTABILITY AND WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith for consideration by the Examiner are:

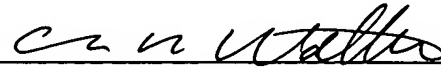
- 1) An English version of the International Preliminary Report on Patentability; and
- 2) An English version of the Written Opinion of the International Searching

Authority.

Respectfully submitted,

Masakazu NAGATA

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEES FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975

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July 11, 2006

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION OF TRANSMITTAL
OF COPIES OF TRANSLATION
OF THE INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY
(CHAPTER I OR CHAPTER II
OF THE PATENT COOPERATION TREATY)
(PCT Rules 44bis.3(c) and 72.2)

To:

YASHIMA, Keiichi
Room No. 712, Hosokawa Building
1-17, Akasaka 1-chome
Minato-ku, Tokyo 1070052
JAPON

Date of mailing (day/month/year) 01 June 2006 (01.06.2006)	IMPORTANT NOTIFICATION
Applicant's or agent's file reference KE-03-010PCT	
International application No. PCT/JP2004/007963	International filing date (day/month/year) 08 June 2004 (08.06.2004)
Applicant K-R INDUSTRY COMPANY LIMITED et al	

1. Transmittal of the translation to the applicant.

The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter I).



The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter II).

2. Transmittal of the copy of the translation to the designated or elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following designated or elected Offices requiring such translation:

None

The following designated or elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AP, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EA, EC, EE, EG, EP, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NI, NO, NZ, OA, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW

3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability (Chapter II).

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned within the applicable time limit (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Authorized officer

Masashi Honda

Facsimile No.+41 22 740 14 35

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PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference KE-03-010PCT	FOR FURTHER ACTION	See item 4 below
International application No. PCT/JP2004/007963	International filing date (<i>day/month/year</i>) 08 June 2004 (08.06.2004)	Priority date (<i>day/month/year</i>) 18 July 2003 (18.07.2003)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant K-R INDUSTRY COMPANY LIMITED		

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 *bis*.1(a).

2. This REPORT consists of a total of 4 sheets, including this cover sheet.

In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

- | | | |
|-------------------------------------|--------------|---|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the report |
| <input type="checkbox"/> | Box No. II | Priority |
| <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> | Box No. VI | Certain documents cited |
| <input type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input type="checkbox"/> | Box No. VIII | Certain observations on the international application |

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).

<p style="text-align: center;">The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland</p> <p>Facsimile No. +41 22 740 14 35</p>	<p>Date of issuance of this report 22 May 2006 (22.05.2006)</p> <hr/> <p>Authorized officer</p> <p style="text-align: center; font-size: 1.2em;">Masashi Honda</p> <p>Telephone No. +41 22 338 70 10</p>
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PATENT COOPERATION TREATY

TRANSLATION

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Date of mailing
(day/month/year)

Applicant's or agent's file reference
KE-03-010PCT

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/JP2004/007963

International filing date (day/month/year)
08.06.2004

Priority date (day/month/year)
18.07.2003

International Patent Classification (IPC) or both national classification and IPC

Applicant
K-R INDUSTRY COMPANY LIMITED

1. This opinion contains indications relating to the following items:

- | | | |
|-------------------------------------|--------------|--|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the opinion |
| <input type="checkbox"/> | Box No. II | Priority |
| <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> | Box No. VI | Certain documents cited |
| <input type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input type="checkbox"/> | Box No. VIII | Certain observations on the international application |

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/JP	Authorized officer
Facsimile No.	Telephone No.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2004/007963

Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
☐ This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material.
☐ a sequence listing
☐ table(s) related to the sequence listing
 - b. format of material
☐ in written format
☐ in computer readable form
 - c. time of filing/furnishing
☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2004/007963

Box No. V

Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

1. Statement

Novelty (N)

Claims 1-21

YES

Claims

NO

Inventive step (IS)

Claims 4, 7, 14, 17

YES

Claims 1-3, 5, 6, 8-13, 15, 16, 18-21

NO

Industrial applicability (IA)

Claims 1-21

YES

Claims

NO

2. Citations and explanations:

Document 1: US 5896789 A (Chicago Pneumatic Tool Company), 27 April 1999, column 3, lines 11-29, Fig. 1, Fig. 2 & JP 11-188652 A & EP 908273 A2 & BR 9803495 A
Document 2: JP 6-238574 A (Elephant Chain Block Co., Ltd.), 30 August 1994, paragraphs 0005-0009, 0042-0044, Fig. 16, Fig. 17 (Family: none)

Claims 1-3, 5, 6, 8-13, 15, 16, 18-21

The inventions of claims 1-3, 5, 6, 8-13, 15, 16, and 18-21 do not possess novelty on account of documents 1 and 2.

Document 1 describes the assumed constitution.

Document 2 describes a constitution wherein an elastic member and a tube unit (equivalent to a guide member) and a torque setting adjustment member, etc. are integrated.

Here, the torque adjustment member of document 2 holds the elastic member together with the tube unit and the shaft unit, so it appears to be essentially a holding means.

Also, it is technical common sense that an element that has undergone a surface treatment or heat treatment is usually harder than an element that has not (an untreated element) and is more difficult to wear. Therefore constituting matters so that if there is a heat treated element a wear prevention member is not provided as a separate member, or conversely constituting matters so that if there is an untreated element a wear prevention member is provided as a separate member could easily be conceived by a person skilled in the art.

Claims 4, 7, 14, 17

The inventions of claims 4, 7, 14, and 17 are not described in any of the documents cited in the ISR and are not obvious to a person skilled in the art.